

Article - Public Safety

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§3–101. IN EFFECT

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Chief” means the head of a law enforcement agency.

(2) “Chief” includes the officer designated by the head of a law enforcement agency.

(c) (1) “Hearing” means a proceeding during an investigation conducted by a hearing board to take testimony or receive other evidence.

(2) “Hearing” does not include an interrogation at which no testimony is taken under oath.

(d) “Hearing board” means a board that is authorized by the chief to hold a hearing on a complaint against a law enforcement officer.

(e) (1) “Law enforcement officer” means an individual who:

(i) in an official capacity is authorized by law to make arrests;
and

(ii) is a member of one of the following law enforcement agencies:

1. the Department of State Police;
2. the Police Department of Baltimore City;
3. the Baltimore City School Police Force;
4. the Baltimore City Watershed Police Force;
5. the police department, bureau, or force of a county;
6. the police department, bureau, or force of a municipal corporation;
7. the office of the sheriff of a county;

- agency;
8. the police department, bureau, or force of a bicounty
9. the Maryland Transportation Authority Police;
10. the police forces of the Department of Transportation;
11. the police forces of the Department of Natural Resources;
12. the Field Enforcement Bureau of the Comptroller's Office;
13. the Field Enforcement Division of the Alcohol and Tobacco Commission;
14. the Housing Authority of Baltimore City Police Force;
15. the Crofton Police Department;
16. the police force of the Maryland Department of Health;
17. the police force of the Maryland Capitol Police of the Department of General Services;
18. the police forces of the University System of Maryland;
19. the police force of Morgan State University;
20. the office of State Fire Marshal;
21. the Ocean Pines Police Department;
22. the police force of the Baltimore City Community College;
23. the police force of the Hagerstown Community College;

24. the Internal Investigation Unit of the Department of Public Safety and Correctional Services;

25. the Warrant Apprehension Unit of the Intelligence and Investigative Division in the Department of Public Safety and Correctional Services;

26. the police force of the Anne Arundel Community College; or

27. the police department of the Johns Hopkins University established in accordance with Title 24, Subtitle 12 of the Education Article.

(2) “Law enforcement officer” does not include:

(i) an individual who serves at the pleasure of the Police Commissioner of Baltimore City;

(ii) an individual who serves at the pleasure of the appointing authority of a charter county;

(iii) the police chief of a municipal corporation;

(iv) an officer who is in probationary status on initial entry into the law enforcement agency except if an allegation of brutality in the execution of the officer’s duties is made;

(v) a Montgomery County fire and explosive investigator as defined in § 2–208.1 of the Criminal Procedure Article;

(vi) an Anne Arundel County or City of Annapolis fire and explosive investigator as defined in § 2–208.2 of the Criminal Procedure Article;

(vii) a Prince George’s County fire and explosive investigator as defined in § 2–208.3 of the Criminal Procedure Article;

(viii) a Worcester County fire and explosive investigator as defined in § 2–208.4 of the Criminal Procedure Article;

(ix) a City of Hagerstown fire and explosive investigator as defined in § 2–208.5 of the Criminal Procedure Article;

(x) a Howard County fire and explosive investigator as defined in § 2–208.6 of the Criminal Procedure Article; or

(xi) the Chief of Police of the police department of the Johns Hopkins University established in accordance with Title 24, Subtitle 12 of the Education Article.

§3–101. ** TAKES EFFECT JULY 1, 2022 PER CHAPTER 59 OF 2021 **

(a) In this title the following words have the meanings indicated.

(b) “Administratively charged” means that a police officer has been formally accused of misconduct in an administrative proceeding.

(c) “Disciplinary matrix” means a written, consistent, progressive, and transparent tool or rubric that provides ranges of disciplinary actions for different types of misconduct.

(d) “Exonerated” means that a police officer acted in accordance with the law and agency policy.

(e) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

(f) “Not administratively charged” means that a determination has been made not to administratively charge a police officer in connection with alleged misconduct.

(g) “Police misconduct” means a pattern, a practice, or conduct by a police officer or law enforcement agency that includes:

(1) depriving persons of rights protected by the constitution or laws of the State or the United States;

(2) a violation of a criminal statute; and

(3) a violation of law enforcement agency standards and policies.

(h) “Police officer” has the meaning stated in § 3–201 of this title.

(i) “Serious physical injury” has the meaning stated in § 3–201 of the Criminal Law Article.

(j) “Superior governmental authority” means the governing body that oversees a law enforcement agency.

(k) “Unfounded” means that the allegations against a police officer are not supported by fact.

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